

SENATOR BEREUTER: I understand. I'll ask for a roll call vote then, Mr. President.

PRESIDENT: Call the roll.

CLERK: (Read roll call vote found on page 817 of the Journal.) 28 ayes, 5 nays, Mr. President.

PRESIDENT: The bill is advanced. Senator Nelson Merz moves that the Call be raised. Record your vote. Record.

CLERK: 22 ayes, 2 nays to raise the Call, Mr. President.

PRESIDENT: The Call is raised. Senator Chambers wishes to raise a point of order. The Chair recognizes Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman, and members of the Legislature, I would like to get a ruling from the Chair on an interpretation of a rule or whether a rule applies. It relates to "reconsideration". Rule seven, section seven, deals with reconsideration but there is no precise rule applicable to Committees in those terms. According to the rule as it stands, a motion to reconsider must be made on the day that an issue is decided or the following legislative day. Now it would seem to me that that same, at least that standard must be met by a Committee so I am asking if a motion is made to reconsider and the issue involved was the advancement of a bill, the bill was voted to be advanced, then a certain lobbyist was concerned about the bill so he talked to one of the members and persuaded him to make a motion to reconsider. The other bills were advanced. That bill was held back. The motion was then made to reconsider by the member and it was not made on the day the issue was decided nor the following legislative day, so my question is, would that motion to reconsider be in order according to the rules?

PRESIDENT: First of all, Senator Chambers, I've tried to examine rule seven as well as rule three. I am not at all sure that the presiding officer, the President of the Legislature, has authority to make, interpret or enforce rules of Committees. I strongly suspect that that is up to the Committee Chairman. There may be a possibility that in the case of an abuse of a Chairman's discretion or an interpretation of the rules, you might be able to appeal to the body as a whole. I don't find that in our rules but I think that generally is parliamentary procedure. It does seem to me that you don't have any recourse under rule seven because that applies strictly to reconsideration on this floor. As far as proceedings in Committees, I think that section eight of rule three, the second paragraph there, does in general terms, give Chairmen rather wide latitude. It uses this kind of language. "The Chairman of each Committee shall take into consideration importance, need for, and passage of bills referred to his Committee." That doesn't relate directly to your question but it sort of sets a tone. More important than that, I think, Senator Chambers, is the language at the bottom of page fifteen of your rule book where it says, "A report on a bill or resolution must be made to the Legislature within eight calendar days after the Committee has acted upon a particular measure." So, I don't think that you have any recourse unless your Chairman fails to report a bill out in those days. So, I think they can hold it and that is not an abuse of the rules. As a matter of fact, I think it is well within the rules that they can hold it. Your other question though, gives me much more difficulty and that is your question of whether or not their motion to reconsider